

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 84 – HB 74

March 10, 2015

SUMMARY OF ORIGINAL BILL: Upon a proper showing by the Department of Correction (DOC) that a prisoner was released in error, a sentencing judge or judge in a county in which the individual can be found is authorized to issue a warrant for the retaking of the prisoner. The DOC may act upon the warrant and the warrant shall not be bondable.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004043): Deletes Section 1 of the bill.

Upon a proper showing by the Department of Correction (DOC) that a prisoner was released in error, a sentencing judge or judge in a county from which the individual was released is authorized to issue a warrant for the retaking of the prisoner. The DOC employees designated by the commissioner who have been trained in the use of firearms and are vested with the powers of law enforcement officers may act upon the warrant. Law enforcement officers may act upon the warrant. The warrant shall not be bondable.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Issuing warrants is primarily the responsibility of the courts. The Administrative Office of the Courts confirms that the bill will not sufficiently impact its operations to require additional appropriations.
- Retaking prisoners that escaped or were released in error is primarily the responsibility of the DOC. The DOC reports that the bill will allow the DOC to act quicker in apprehending prisoners released in error. The DOC confirms that this bill will not impact its operations sufficient to require additional appropriations.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

SB 84 – HB 74

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style.

Jeffrey L. Spalding, Executive Director

/trm